



Attorney Docket # 526801-31PCON

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

GP 2876
W2/letter
Zstepoe
Patent
5-20-03

In re Application of

Christophe FLETOUT et al.

Serial No.: 09/753,473

Filed: January 03, 2001

For: Perforated Antenna for an Integrated Circuit Card, and an Integrated Circuit Card Including Such an Antenna

Examiner: Diane I. Lee
Group Art: 2876

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May 12, 2003

(Date of Deposit)

Thomas Langer

Name of applicant, assignee or Registered Representative

Thomas Langer

Signature

May 12, 2003

Date of Signature

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

LETTER

S I R:

This is NOT a response to the Office Action dated April 9, 2003.

The above-mentioned Office Action has been designated as a Final Rejection. However, the basis given for it by the Examiner is that "Applicant's amendment necessitated a new ground(s) of rejection presented in this Office Action... See MPEP §706.07(a)." However, there is no such amendment following the election of species requirement. Consequently, the Examiner's explanation is inappropriate.

Moreover, a Final Rejection would be appropriate only in connection with a second Office Action on the merits. However, this Office Action is only the first one on the merits.

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In view of the above, the Examiner is respectfully requested to withdraw the finality of the outstanding action.

Respectfully submitted,
COHEN, PONTANI, LIEBERMAN & PAVANE

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